

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DARCY CORBITT, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	CASE NO. 2:18-cv-91-MHT-SMD
)	
HAL TAYLOR, <i>et al.</i> ,)	
)	
Defendants.)	

NOTICE OF SUPPLEMENTAL AUTHORITY

The Plaintiffs respectfully provide the Court with notice of supplemental authority, *Ray v. Himes*, Case No. 2:18-CV-00272 (S.D.Oh. Sept. 12, 2019), attached as Ex. A, which was decided after the Plaintiffs submitted their Reply to Defendants’ Opposition to Plaintiffs’ Motion for Summary Judgment, (Doc. 61).

Ray v. Himes concerns a challenge to Ohio’s policy of not correcting the sex designation on transgender people’s birth certificates. In its opinion and order, the Southern District of Ohio denied Defendants’ motion to dismiss. The decision addressed the plaintiffs’ informational privacy claim, holding that they “have adequately alleged that Defendants’ Policy of refusing to change birth certificates to reflect gender identity implicates a release of personal information that is of a ‘sexual, personal, and humiliating nature’ and ‘could lead to bodily harm,’ resulting in a violation of Plaintiffs’ informational right to privacy.” *Ray*, Case No.

2:18-CV-00272 at *23-24; *see* Memorandum in support of Plaintiffs' Motion for Summary Judgment (Doc. 51, ECF 45-50) (arguing that Alabama's driver's license policy violates Plaintiffs' informational privacy rights).

Ray provides further support for the Plaintiffs' argument that Plaintiffs' Motion for Summary Judgment should be granted, and Defendants' Motion for Summary Judgment should be denied.

Respectfully submitted this 13th day of September 2019.

/s/ Brock Boone
Brock Boone

Brock Boone
Randall C. Marshall
ACLU of Alabama
P.O. Box 6179
Montgomery, AL 36106
bboone@aclualabama.org
rmarshall@aclualabama.org

Gabriel Arkles
Rose Saxe
ACLU LGBT & HIV Project / ACLU Foundation
125 Broad St., 18th Floor
New York, NY 10004
(212) 549-2605
rsaxe@aclu.org
garkles@aclu.org
Admitted Pro Hac Vice

CERTIFICATE OF SERVICE

I certify that I have, on September 13, 2019, electronically filed the foregoing pleading with the Clerk of the Court, using the CM/ECF filing system which serve all counsel of record.

/s/ Brock Boone
Brock Boone